UNITED STATES PATENT AND TRADEMARK OFFICE

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10/669,070	09/23/2003	Mark David Murawski	VOCO / 10	2730

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/669,070	MURAWSKI ET AL.
	Examiner	Art Unit
	Joseph Saunders	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-6,8-16,18,19,21-23,25-29,31-41,44-46,48-54 and 63-66* is/are pending in the application.
     4a) Of the above claim(s) *64 and 65* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,3-6,8-16,18,19,21-23,25-29,31-41,44-46,48-54,63 and 66* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *18 October 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 9,

2009 has been entered. Claims 1, 3 – 6, 8 – 16, 18, 19, 21 – 23, 25 – 29, 31 – 41, 44 –

46, 48 – 54, and 63 – 66 are pending. Claims 1, 3 – 6, 8 – 16, 18, 19, 21 – 23, 25 – 29,

31 – 41, 44 – 46, 48 – 54, 63, and 66 are considered below while claims 64 and 65 are

withdrawn from consideration.

Response to Arguments

2.   Applicant's arguments with respect to claims have been considered but are moot

in view of the new ground(s) of rejection to Bunte et al. (US 5,873,070).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1, 3 – 6, 9, 15, 16, 18, 19, 21 – 23, 26, 28 – 31, 33, 39 – 41, 44 – 46, 49,

53, 54, 63, and 66 are rejected under 35 U.S.C. 102(b) as being anticipated by Bunte et

al. (US 5,873,070), hereinafter Bunte.

Claim 1: Bunte discloses an apparatus comprising:

a portable terminal configured for being worn or carried by a user and operable to

facilitate the performance of tasks by the user ("The data collection system of the

present system may utilizes, for example, a wearable data collection terminal having a

computer processor, associated memory, inputs, and outputs. Associated peripheral

devices may include voice inputs and outputs, an optically readable information set

reader, a keyboard and/or touch-panel, intelligent-body-conforming battery packs, mass

storage devices, a user position and next task location device, a display, a printer, and

data communication system for both local area and wide area communication," Column

3 Lines 5 – 15) through speech ("Thus the voice processor chip may be utilized in the

present invention to provide hands-free operation and control of the disintegrated

terminal," Column 11 Lines 59 – 62);

the terminal having bi-directional voice capabilities including a user dependent speech

recognition functionality for converting user speech to a digital format ("voice

recognition") and a text- to-speech functionality for converting data in a digital format

into audio signals to be played to a user ("Text to speech translation is preferably

provided as well," Column 8 Lines 59 – 67);

a peripheral device for coupling to the terminal and having at least one line for directing

audio signals to the terminal ("voice recognition microphone 20", Figures 2 and 3);

the peripheral device ("microphone") configured to forward a characterizing signal

("keyword") for a particular user ("operator's name, for example, as a keyword for

selection," Column 11 Line 52 – Column 12 Line 35) on the at least one line to the

terminal ("via voice recognition microphone 20", Figures 2 and 3), the user

characterizing signal associated with one or more user-specific operational parameters

of the terminal;

the terminal configured for receiving ("via voice recognition microphone 20", Figures 2

and 3) the user characterizing signal ("keyword") and then configuring the bi-directional

voice capabilities of the terminal using the one or more user-specific operational

parameters that are associated with the characterizing signal ("To enhance or to

simulate speaker independence, different dictionaries or template sets could be

provided by using the operator's name, for example, as a keyword for selection,"

Column 11 Line 52 – Column 12 Line 35);

the user-specific operational parameters including at least one of voice templates for

speech recognition and text-to-speech preferences for the user for providing more

efficient use of the terminal for the performance of tasks ("dictionaries or template sets,"

Column 11 Line 52 – Column 12 Line 35).

Claim 3: <u>Bunte</u> discloses the apparatus of claim 1 wherein the characterizing signal is

associated with at least one of a particular use, a particular user, a particular user group

and a particular location ("operator's name, for example, as a keyword for selection,"

Column 11 Line 52 – Column 12 Line 35).

Claim 4: <u>Bunte</u> discloses the apparatus of claim 1 wherein the characterizing signal is

reflective of a user ID of the peripheral device ("operator's name, for example, as a

keyword for selection," Column 11 Line 52 – Column 12 Line 35).

Claim 5: <u>Bunte</u> discloses the apparatus of claim 1 wherein the characterizing signal is

an audio signal ("The user would speak his name into the microphone," Column 11 Line

52 – Column 12 Line 35).

Claim 6: <u>Bunte</u> discloses the apparatus of claim 1 wherein the terminal includes

frequency analysis circuitry for processing the characterizing signal ("Certain

implementations of such systems may be troubled by ambient noise problems. Several

approaches may improve performance in these environments. It may be possible to

segment the spectrum and run three of these speech recognition chips in parallel as

shown in FIG. 34. The spectrally divided voice processing circuit 232 may comprise

microphone 234, filters 236, 238 and 240, voice processors 242, 244 and 246, latches

248, 250 and 256, data bus 258 and control line 260...," Column 12 Lines 36 – 58).

Claim 9: <u>Bunte</u> discloses the apparatus of claim 1 wherein the peripheral device is a

headset ("headset 16," Figures 2 and 3) having a microphone and a microphone line,

the characterizing signal ("operator's name, for example, as a keyword for selection")

being forwarded on the microphone line ("The user would speak his name into the

microphone," Column 11 Line 52 – Column 12 Line 35).

Claim 15: <u>Bunte</u> discloses the apparatus of claim 1 wherein operational parameters for

the terminal are stored in memory, the terminal operable for accessing the memory

using the characterizing signal received from the peripheral device ("The terminal may

then be retrained for a particular user or application and the results stored in the flash

memory," Column 11 Line 52 – Column 12 Line 35).

Claim 16: <u>Bunte</u> discloses the apparatus of claim 1 wherein operational parameters are

stored in a menu, the terminal operable for accessing the menu based upon the

characterizing parameter to obtain the one or more user-specific operational parameters

("Each operator could then have his own dictionary of appropriate customized phrases.

One way to accomplish this would be to use the legal accessible memory space for this

chip. The high order address lines then could select the appropriate memory bank.

These lines could be latched by the main terminal processor in response to key words,"

Column 11 Line 52 – Column 12 Line 35).

Claim 18: <u>Bunte</u> discloses the apparatus of claim 1 wherein said terminal is configured

for coupling with multiple different peripheral devices (Figures 2 and 3) for multiple

different users "each operator"), the terminal being configurable to operate with multiple

user-specific operational parameters ("dictionaries or template sets") associated with

the characterizing signals of the multiple different peripheral devices ("operator's name,

for example, as a keyword for selection," Column 11 Line 52 – Column 12 Line 35).

Claims 19 and 21 – 23, 26, and 28 are substantially similar in scope to claims 1, 15, 4,

6, 9, and 3 respectfully, and therefore are rejected for the same reasons.

Claims 29 – 31, 33, and 39 are substantially similar in scope to claims 1, 4, 5, 9, and 3

respectfully, and therefore are rejected for the same reasons.

Claims 40, 41, 44 – 46, 49, 53, and 54 are substantially similar in scope to claims 1, 3,

4, 5, 6, 9, 15, and 16 respectfully, and therefore are rejected for the same reasons.

Claims 63 and 66: Claims 63 and 66 are substantially similar in scope to claims 1 and

3 respectfully, and therefore are rejected for the same reasons.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 8, 10, 13, 25, 32, 34, 37, 48, and 50 are rejected under 35 U.S.C. 103(a)

as being unpatentable over <u>Bunte</u> in view of Anderson et al. (US 7,283,635 B1),

hereinafter <u>Anderson</u> and Michel et al. (US 5,764,512), hereinafter <u>Michel</u>.

Claims 8, 10, and 13: <u>Bunte</u> discloses the apparatus of claim 1, however discloses the

apparatus using a "keyword" as a characterizing signal and therefore does not disclose

wherein the characterizing signal is one of a DTMF tone and a PWM stream, wherein

the peripheral device includes a tone generator for generating audio tones to form the

characterizing signal, and wherein the peripheral device includes circuitry for generating

the characterizing signal, the circuitry being powered by the terminal.

Anderson discloses a similar apparatus comprising: a terminal ("application

systems" and the host adapter 110, Column 5 Line 66 – Column 6 Line 15 and Column

6 Lines 42 – 61) having bi-directional voice capabilities (microphone assembly 125 and

headphone capsules, Column 5 Lines 40 – 50);

a peripheral device for coupling to the terminal and having at least one line for

directing audio signals to the terminal (microphone assembly 125 and the earphones of

the headset 130, Column 5 Line 66 – Column 6 Line 15);

the peripheral device configured to forward a characterizing signal (via EEPROM memory) for a particular user to the terminal (a first sub-block will contain the preferred settings for the host adapter performance parameters for user #1, a second sub-block will contain the preferred settings for user #2, and so on, Column 10 Lines 15 – 26), the user characterizing signal associated with one or more user-specific operational parameters of the terminal (third block of addressable memory locations may be used for storing individual user preferred settings for host adapter performance parameters, Column 10 Lines 15 – 26);

the terminal configured for receiving the user characterizing signal then configuring the bi-directional voice capabilities of the terminal using the one or more user-specific operational parameters, that are according to the operational parameter associated with the characterizing signal (Column 8 Lines 47 – 61);

the user-specific operational parameters including at least one of voice templates for speech (Column 8 Lines 47 – 61 and Column 10 Lines 15 – 26).

Anderson does not disclose forwarding the characterizing signal on the at least one line to the terminal. However, Anderson does teach that in order to minimize the number of wires used "some or all of the audio wires can also share connections for the serial communication," Column 5 Line 66 – Column 6 Line 37. Anderson gives an example of how to reduce the amount of wires but still requires a single wire increase. Michel further discloses a similar wire reduction method and teaches that "in-band signaling does not require an additional interface between the computer and speaker/microphone 135 other than the audio interface line-in and line-out signals,"

Column 6 Lines 13 – 22. Therefore given the teaching of Michel and the motivation

provided by Anderson, it would have been obvious to one of ordinary skill in the art to

use in-band signaling in the invention of Anderson thereby allowing for some or all of

the audio wires to share connections for the serial communication as suggested by

Anderson, reducing the necessity for any additional wires, since the information can be

sent over the audio line in the technique disclosed by Michel.

Michael further discloses wherein the characterizing signal is one of a DTMF

tone and a PWM stream (audio wave files or DTMF, Michel Column 6 Lines 13 – 42),

wherein the peripheral device includes a tone generator for generating audio tones to

form the characterizing signal (Michel Column 6 Lines 13 – 42), and Anderson further

discloses wherein the peripheral device includes circuitry for generating the

characterizing signal, the circuitry being powered by the terminal ("memory voltage

source would be coupled through the other earphone wire," Anderson Column 5 Line 66

– Column 6 Line 37).

Therefore, given the similarity between the invention of Bunte and Anderson, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the teachings of Anderson and Michel in the invention of Bunte thereby

eliminating the need for different user to "speak his name into the microphone," Column

11 Line 52 – Column 12 Line 35, since as taught by Anderson having a memory in the

headset allows for the automatic reconfiguration of "performance parameters of a host

adapter to user operator defined preferences as each user logs into the system

throughout the course of the day," Column 16 Lines 1 – 21, by reading from headset

memory an identification or characterizing signal "when the headset is once again used

with the host adapter or application system," Column 12 Line 63 - Column 13 Line 6.

Claim 25 is substantially similar in scope to claim 8 and therefore is rejected for the

same reasons.

Claims 32, 34, and 37 are substantially similar in scope to claims 8, 10, and 13

respectfully, and therefore are rejected for the same reasons.

Claims 48 and 50 are substantially similar in scope to claims 8 and 10 respectfully, and

therefore are rejected for the same reasons.

7.   Claims 11, 12, 27, 35, 36, 51, and 52 are rejected under 35 U.S.C. 103(a) as

being unpatentable over <u>Bunte</u> in view of <u>Anderson</u>, <u>Michel</u>, and Hallikainen et al. (US

5,797,102), hereinafter <u>Hallikainen</u>.

Claim 11: <u>Bunte</u> discloses the apparatus of claim 1, but does not disclose wherein the

peripheral device is configured to automatically forward the characterizing signal to the

terminal when it is coupled to the terminal.

        <u>Anderson</u> discloses a similar apparatus comprising: a terminal ("application

systems" and the host adapter 110, Column 5 Line 66 – Column 6 Line 15 and Column

6 Lines 42 – 61) having bi-directional voice capabilities (microphone assembly 125 and

headphone capsules, Column 5 Lines 40 – 50);

a peripheral device for coupling to the terminal and having at least one line for

directing audio signals to the terminal (microphone assembly 125 and the earphones of

the headset 130, Column 5 Line 66 – Column 6 Line 15);

the peripheral device configured to forward a characterizing signal (via EEPROM

memory) for a particular user to the terminal (a first sub-block will contain the preferred

settings for the host adapter performance parameters for user #1, a second sub-block

will contain the preferred settings for user #2, and so on, Column 10 Lines 15 – 26), the

user characterizing signal associated with one or more user-specific operational

parameters of the terminal (third block of addressable memory locations may be used

for storing individual user preferred settings for host adapter performance parameters,

Column 10 Lines 15 – 26);

the terminal configured for receiving the user characterizing signal then

configuring the bi-directional voice capabilities of the terminal using the one or more

user-specific operational parameters, that are according to the operational parameter

associated with the characterizing signal (Column 8 Lines 47 – 61);

the user-specific operational parameters including at least one of voice templates

for speech (Column 8 Lines 47 – 61 and Column 10 Lines 15 – 26).

Anderson does not disclose forwarding the characterizing signal on the at least

one line to the terminal. However, Anderson does teach that in order to minimize the

number of wires used "some or all of the audio wires can also share connections for the

serial communication," Column 5 Line 66 – Column 6 Line 37. Anderson gives an

example of how to reduce the amount of wires but still requires a single wire increase.

Michel further discloses a similar wire reduction method and teaches that "in-band

signaling does not require an additional interface between the computer and

speaker/microphone 135 other than the audio interface line-in and line-out signals,"

Column 6 Lines 13 – 22. Therefore given the teaching of Michel and the motivation

provided by Anderson, it would have been obvious to one of ordinary skill in the art to

use in-band signaling in the invention of Anderson thereby allowing for some or all of

the audio wires to share connections for the serial communication as suggested by

Anderson, reducing the necessity for any additional wires, since the information can be

sent over the audio line in the technique disclosed by Michel.

Therefore, given the similarity between the invention of Bunte and Anderson, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the teachings of Anderson and Michel in the invention of Bunte thereby

eliminating the need for different user to "speak his name into the microphone," Column

11 Line 52 – Column 12 Line 35, since as taught by Anderson having a memory in the

headset allows for the automatic reconfiguration of "performance parameters of a host

adapter to user operator defined preferences as each user logs into the system

throughout the course of the day," Column 16 Lines 1 – 21, by reading from headset

memory an identification or characterizing signal "when the headset is once again used

with the host adapter or application system," Column 12 Line 63 - Column 13 Line 6.

Hallikainen discloses a similar arrangement for adapting parameters in a
terminal. Hallikainen teaches "the auxiliary device can transmit the identification
message automatically … after connection", Column 3 Lines 23 – 41. Therefore, it
would have been obvious to one of ordinary skill in the art at the time of the invention to
modify the invention of Bunte, Anderson, and Michel to include the feature of having the
peripheral device automatically forward the characterizing signal to the terminal when it
is coupled to the terminal as taught by Hallikainen, thereby eliminating additional actions
from having to be performed by the user, e.g., eliminating the need for different user to
"speak his name into the microphone," Bunte Column 11 Line 52 – Column 12 Line 35.

Claim 12: Bunte discloses the apparatus of claim 1 wherein the peripheral
device has an input ("Associated peripheral devices may include voice inputs and
outputs," Column 3 Lines 5 – 14), but does not disclose the peripheral device forwarding
the characterizing signal to the terminal when the input is engaged. Anderson discloses
a similar apparatus comprising: a terminal ("application systems" and the host adapter
110, Column 5 Line 66 – Column 6 Line 15 and Column 6 Lines 42 – 61) having bi-
directional voice capabilities (microphone assembly 125 and headphone capsules,
Column 5 Lines 40 – 50);

a peripheral device for coupling to the terminal and having at least one line for
directing audio signals to the terminal (microphone assembly 125 and the earphones of
the headset 130, Column 5 Line 66 – Column 6 Line 15);

the peripheral device configured to forward a characterizing signal (via EEPROM

memory) for a particular user to the terminal (a first sub-block will contain the preferred

settings for the host adapter performance parameters for user #1, a second sub-block

will contain the preferred settings for user #2, and so on, Column 10 Lines 15 – 26), the

user characterizing signal associated with one or more user-specific operational

parameters of the terminal (third block of addressable memory locations may be used

for storing individual user preferred settings for host adapter performance parameters,

Column 10 Lines 15 – 26);

the terminal configured for receiving the user characterizing signal then

configuring the bi-directional voice capabilities of the terminal using the one or more

user-specific operational parameters, that are according to the operational parameter

associated with the characterizing signal (Column 8 Lines 47 – 61);

the user-specific operational parameters including at least one of voice templates

for speech (Column 8 Lines 47 – 61 and Column 10 Lines 15 – 26).

Anderson does not disclose forwarding the characterizing signal on the at least

one line to the terminal. However, Anderson does teach that in order to minimize the

number of wires used "some or all of the audio wires can also share connections for the

serial communication," Column 5 Line 66 – Column 6 Line 37. Anderson gives an

example of how to reduce the amount of wires but still requires a single wire increase.

Michel further discloses a similar wire reduction method and teaches that "in-band

signaling does not require an additional interface between the computer and

speaker/microphone 135 other than the audio interface line-in and line-out signals,"

Column 6 Lines 13 – 22. Therefore given the teaching of <u>Michel</u> and the motivation

provided by <u>Anderson</u>, it would have been obvious to one of ordinary skill in the art to

use in-band signaling in the invention of <u>Anderson</u> thereby allowing for some or all of

the audio wires to share connections for the serial communication as suggested by

<u>Anderson</u>, reducing the necessity for any additional wires, since the information can be

sent over the audio line in the technique disclosed by <u>Michel</u>.

Therefore, given the similarity between the invention of <u>Bunte</u> and <u>Anderson</u>, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the teachings of <u>Anderson</u> and <u>Michel</u> in the invention of <u>Bunte</u> thereby

eliminating the need for different user to "speak his name into the microphone," Column

11 Line 52 – Column 12 Line 35, since as taught by <u>Anderson</u> having a memory in the

headset allows for the automatic reconfiguration of "performance parameters of a host

adapter to user operator defined preferences as each user logs into the system

throughout the course of the day," Column 16 Lines 1 – 21, by reading from headset

memory an identification or characterizing signal "when the headset is once again used

with the host adapter or application system," Column 12 Line 63 - Column 13 Line 6.

<u>Hallikainen</u> discloses a similar arrangement for adapting parameters in a

terminal. <u>Hallikainen</u> teaches "the auxiliary device can transmit the identification

message automatically … after connection", Column 3 Lines 23 – 41. Therefore, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

modify the invention of <u>Bunte</u>, <u>Anderson</u>, and <u>Michel</u> to include the feature of having the

peripheral device automatically forward the characterizing signal to the terminal when

the input of <u>Bunte</u>, <u>Anderson</u>, and <u>Michel</u> is engaged as taught by <u>Hallikainen</u>, thereby

eliminating additional actions from having to be performed by the user, e.g., eliminating

the need for different user to "speak his name into the microphone," <u>Bunte</u> Column 11

Line 52 – Column 12 Line 35.

Claim 27 is substantially similar in scope to claim 11 and therefore rejected for the

same reasons.

Claim 35 and 36 are substantially similar in scope to claim 11 and 12 respectfully, and

therefore rejected for the same reasons.

Claim 51 and 52 are substantially similar in scope to claim 11 and 12 respectfully, and

therefore rejected for the same reasons.

8.   Claims 14 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable

over <u>Bunte</u> in view <u>Anderson</u>, <u>Michel</u>, and Helms (US 5, 561,710), hereinafter <u>Helms</u>.

Claim 14: <u>Bunte</u> discloses the apparatus of claim 1, but does not disclose wherein the

peripheral device includes circuitry for generating the characterizing signal, the circuitry

being powered by a battery source in the peripheral device.

        <u>Anderson</u> discloses a similar apparatus comprising: a terminal ("application

systems" and the host adapter 110, Column 5 Line 66 – Column 6 Line 15 and Column

6 Lines 42 – 61) having bi-directional voice capabilities (microphone assembly 125 and

headphone capsules, Column 5 Lines 40 – 50);

a peripheral device for coupling to the terminal and having at least one line for

directing audio signals to the terminal (microphone assembly 125 and the earphones of

the headset 130, Column 5 Line 66 – Column 6 Line 15);

the peripheral device configured to forward a characterizing signal (via EEPROM

memory) for a particular user to the terminal (a first sub-block will contain the preferred

settings for the host adapter performance parameters for user #1, a second sub-block

will contain the preferred settings for user #2, and so on, Column 10 Lines 15 – 26), the

user characterizing signal associated with one or more user-specific operational

parameters of the terminal (third block of addressable memory locations may be used

for storing individual user preferred settings for host adapter performance parameters,

Column 10 Lines 15 – 26);

the terminal configured for receiving the user characterizing signal then

configuring the bi-directional voice capabilities of the terminal using the one or more

user-specific operational parameters, that are according to the operational parameter

associated with the characterizing signal (Column 8 Lines 47 – 61);

the user-specific operational parameters including at least one of voice templates

for speech (Column 8 Lines 47 – 61 and Column 10 Lines 15 – 26).

Anderson does not disclose forwarding the characterizing signal on the at least

one line to the terminal. However, Anderson does teach that in order to minimize the

number of wires used "some or all of the audio wires can also share connections for the

serial communication," Column 5 Line 66 – Column 6 Line 37. Anderson gives an

example of how to reduce the amount of wires but still requires a single wire increase.

Michel further discloses a similar wire reduction method and teaches that "in-band

signaling does not require an additional interface between the computer and

speaker/microphone 135 other than the audio interface line-in and line-out signals,"

Column 6 Lines 13 – 22. Therefore given the teaching of Michel and the motivation

provided by Anderson, it would have been obvious to one of ordinary skill in the art to

use in-band signaling in the invention of Anderson thereby allowing for some or all of

the audio wires to share connections for the serial communication as suggested by

Anderson, reducing the necessity for any additional wires, since the information can be

sent over the audio line in the technique disclosed by Michel.

Therefore, given the similarity between the invention of Bunte and Anderson, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate the teachings of Anderson and Michel in the invention of Bunte thereby

eliminating the need for different user to "speak his name into the microphone," Column

11 Line 52 – Column 12 Line 35, since as taught by Anderson having a memory in the

headset allows for the automatic reconfiguration of "performance parameters of a host

adapter to user operator defined preferences as each user logs into the system

throughout the course of the day," Column 16 Lines 1 – 21, by reading from headset

memory an identification or characterizing signal "when the headset is once again used

with the host adapter or application system," Column 12 Line 63 - Column 13 Line 6.

Anderson does disclose that voltage is necessary for the memory component

and other circuitry and discloses receiving this power from the terminal ("memory

voltage source would be coupled through the other earphone wire," Column 5 Line 66 –

Column 6 Line 37). However, it is also well known in the art to include a battery (battery)

as disclosed by Helms to power a DTMF generator, memory, and other components

(Figure 3). Therefore, since there are two main ways that are well known in the art to

obtain power from a peripheral device, one involving receiving the power from an

external device and one where an internal battery is included, it would have been

obvious to one of ordinary skill in the art at the time of the invention to use the battery as

disclosed by Helms in the peripheral device in the system of Bunte, Anderson, and

Michel thereby eliminating any additional drain from the terminal.

Claim 38 is substantially similar in scope to claim 14 and therefore rejected for the

same reasons.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph Saunders whose telephone number is (571)

270-1063. The examiner can normally be reached on Monday - Thursday, 9:00 a.m. -

4:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S./
Examiner, Art Unit 2614

/Walter F. Briney III/
Primary Examiner, Art Unit 2614